

AMENDED IN ASSEMBLY APRIL 9, 2012
AMENDED IN ASSEMBLY MARCH 14, 2012
AMENDED IN ASSEMBLY FEBRUARY 23, 2012
AMENDED IN ASSEMBLY JULY 1, 2011
AMENDED IN SENATE MAY 31, 2011
AMENDED IN SENATE MAY 3, 2011
AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 829

Introduced by Senator Rubio

(Principal coauthor: Assembly Member Hayashi)

(Coauthors: Senators *De León*, Lowenthal, Padilla, and Steinberg)

(Coauthors: Assembly Members Alejo, Allen, *Atkins*, Beall, Bonilla, Butler, Campos, Eng, *Hill*, Ma, *John A. Pérez*, *Solorio*, and Williams)

February 18, 2011

An act to add Section 2503 to the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 829, as amended, Rubio. Public contracts: public entities: project labor agreements.

Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities and authorizes a public entity to use, enter into, or require contractors to enter into, a project labor agreement for a construction project, if the agreement includes specified taxpayer protection provisions. Existing law also provides that if a charter provision, initiative, or ordinance of

a charter city prohibits the governing board's consideration of a project labor agreement for a project to be awarded by the city, or prohibits the governing board from considering whether to allocate funds to a city-funded project covered by such an agreement, then state funding or financial assistance may not be used to support that project, as specified.

This bill would additionally provide that if a charter provision, initiative, or ordinance of a charter city ~~prohibits~~ *prohibits, limits, or constrains in any way* the governing board's ~~consideration of authority or discretion to adopt, require, or utilize~~ a project labor agreement that includes specified taxpayer protection provisions for some or all of the construction projects to be awarded by the city, state funding or financial assistance may not be used to support any construction projects awarded by the city, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2503 is added to the Public Contract
2 Code, to read:
3 2503. If a charter provision, initiative, or ordinance of a charter
4 city ~~prohibits~~ *prohibits, limits, or constrains in any way* the
5 governing board's ~~consideration of authority or discretion to adopt,~~
6 *require, or utilize* a project labor agreement that includes all the
7 taxpayer protection provisions of Section 2500 for some or all of
8 the construction projects to be awarded by the city, then state
9 funding or financial assistance shall not be used to support any
10 construction projects awarded by the city. This section shall not
11 be applicable until January 1, 2015, for charter cities in which a
12 charter provision, initiative, or ordinance in effect prior to
13 November 1, 2011, would disqualify a construction project from
14 receiving state funding or financial assistance.

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